

UPDATE TO THE HOLIDAY PROVISIONS, OVERTIME PROVISIONS, AND THE FURLOUGH PROGRAM

HOLIDAY PROVISIONS

To determine holiday compensation for SEIU employees please refer to the holiday section of the appropriate SEIU bargaining unit agreement.

OVERTIME PROVISIONS AND FURLOUGH PROGRAM

When Fair Labor Standards Act exempt Workweek Group (WWG) E employees use their furlough hours in a workweek they lose their exempt status and become hourly employees. WWG E employees are encouraged to use furlough hours in full day increments. WWG E employees only charge absences in full day increments. WWG E employees may use furlough leave when combining furlough leave and other leave types to equal a full day absence.

WWG 2 employees may use their furlough hours in increments of 15 minutes. WWG E employees are encouraged not to work in excess of 32 hours in a workweek that they use their furlough hours.

JURY DUTY AND FURLOUGH

We have received further clarification from the Administrative Office of the Courts that when jury duty falls on a furlough day employees are not eligible for jury duty fees. Civil Code of Procedures Section 215 provides that jury duty fees are only paid when an employee loses wages while serving on jury duty. If you had an employee on jury duty on scheduled furlough days you must allow the employee to self direct those days at another time.

OVERTIME PAYMENT CLARIFICATION (HOURS WORKED IN A FURLOUGH WEEK BETWEEN 32 AND 40 HOURS)

Below is an example of a Monday through Friday shift employee that uses eight hours furlough leave, eight hours of sick leave and works seven hours on Saturday in their workweek.

| MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | SUNDAY |
|--------|---------|-----------|----------|------------|----------|--------|
| 25 | 26 | 27 | 28 | 29 | 30 | 31 |
| W-8 | Sick-8 | W-8 | W-8 | FURLOUGH-8 | W-7 | |

- The workweek with 8 hours of furlough leave = 32 hours.
- The employee physically worked 31 hours, used 8 hours sick leave and used 8 hours furlough leave = 39 hours.

- The 8 hours of sick leave counts toward the hours worked towards the overtime payment.
- The 8 hours of furlough leave does not count toward the hours worked in the week.
- The employee should receive 7 hours as an overtime payment for the workweek.

Note: All leave hours like sick leave hours above do not count toward premium overtime.

For questions regarding this information, please contact your assigned [Personnel Specialist](#).